

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Antoine Eggleson,

File No. 21-cv-01643 (ECT/LIB)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

B. Birkholz, *Warden of Federal Prison Camp Duluth; In there official capacities,* and Michael Carvajal, *Director of the Federal Bureau of Prisons; In there official capacities,*

Defendants.

Magistrate Judge Leo I. Brisbois issued a Report and Recommendation on September 24, 2021. ECF No. 6. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT**

IS ORDERED THAT:

1. The Report and Recommendation [ECF No. 6] is **ACCEPTED**; and
2. The Petition for Writ of Habeas Corpus [ECF No. 1] is **DISMISSED**

WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 3, 2021

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court